

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
OCT 15 2002
MICHAEL W. DOEBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA,
Plaintiff,

v.

CORNELIUS TRIPP,
Defendant.

)
)
) No. 96 CR 815-6
) Hon. Charles P. Kocoras
) Chief Judge
)
)

DOCKETED
OCT 25 2002

DEFENDANT TRIPP'S UNOBTAINED TO MOTION TO MODIFY
SCHEDULE OF RESTITUTION PAYMENTS

Defendant Cornelius Tripp, by the Federal Defender Program and its attorney Carol A. Brook, respectfully requests this Court enter an order modifying the Judgment Order in this case to reflect that restitution payments are to commence 30 days after Mr. Tripp's release from imprisonment to a term of supervised release. Counsel for defendant has spoken with Mr. Brian Netols, the Assistant United States Attorney responsible for Mr. Tripp's case, who has indicated to counsel that he has no objection to this request.

In support of this motion, Mr. Tripp states:

1. He is serving a sentence of 181 months in prison. He is imprisoned at FCI Milan in Milan, Michigan.

767

2. He is trying to be as productive and as positive as he can during the time he is in prison. He is welcoming of his family, and especially of his now 6-year old daughter, Alia. He writes his daughter often and holds his visits with her close to his heart. He has signed himself up for a college business course and is taking a typing class.

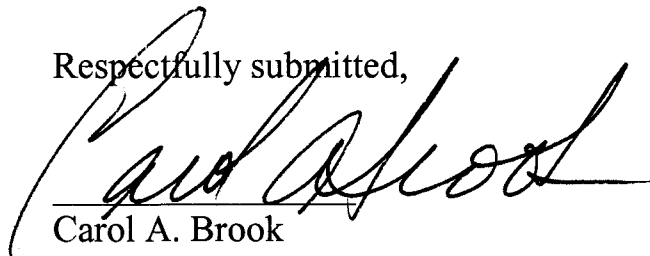
Mr. Tripp is also working. As an orderly he cleans up between five and six hours per day, five days per week. For his 25-30 hours of work per week, he earns \$17 per month from the Bureau of Prisons. Unfortunately, the Bureau of Prisons is taking \$25 per month from Mr. Tripp's commissary account. This means that not only is **all** of Mr. Tripp's meager income taken by the BOP, but that the money sent to him by his family is taken as well.

Mr. Tripp has every intention and hope of returning to society and becoming a law-abiding and hard-working member of society. He has foregone his right to appeal and is fully cognizant of the requirement of and reasons for paying restitution to the Chicago Police Department and intends to make good on his agreement to do so.

In light of his limited ability to earn any money while in prison, however, and his reliance on the good graces of his family to fund his commissary account, he asks this Court to permit him to begin paying off his \$29,000 joint (to be shared with the other defendants in his case) and several restitution obligation following his release from prison.

Wherefore, defendant Cornelius Tripp requests this Court modify the Schedule of Payments section of the "Judgment of a Criminal Case" at page 5, part E, entitled, "Special instructions regarding the payment of criminal monetary penalties," to state: "Restitution is to begin 30 days after Mr. Tripp's release from prison to a term of supervised release."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carol A. Brook", is written over a horizontal line.

Carol A. Brook

One of the Attorneys for Cornelius Tripp

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Chicago IL 60603
312/621-8339

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NOTICE OF MOTION

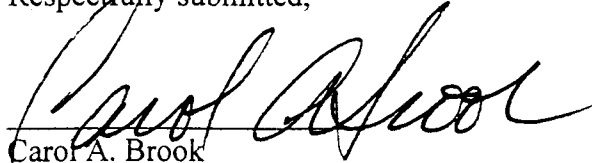
TO: Brian Netols
Assistant United States Attorney
219 S. Dearborn St., 5th Floor
Chicago, IL 60604

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PLEASE TAKE NOTICE that on Thursday, October 24, 2002 at 9:30 a.m., in Courtroom 2503, we shall appear before the Honorable Judge Charles P. Kocoras, in the courtroom usually occupied by him in the Everett McKinley Dirksen Building, 219 S. Dearborn Street, Chicago, Illinois and shall present the attached motion.

- DEFENDANT TRIPP'S UNOBTAINED TO MOTION TO MODIFY SCHEDULE OF RESTITUTION PAYMENTS
- PROPOSED ORDER

Respectfully submitted,



Carol A. Brook
Attorney for Defendant

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767

